
City of Grand Island



Tuesday, July 08, 2008

Council Session Packet

City Council:

Tom Brown
Larry Carney
John Gericke
Peg Gilbert
Joyce Haase
Robert Meyer
Mitchell Nickerson
Bob Niemann
Kirk Ramsey
Jose Zapata

Mayor:

Margaret Hornady

City Administrator:

Jeff Pederson

City Clerk:

RaNae Edwards

7:00:00 PM
Council Chambers - City Hall
100 East First Street

Call to Order

This is an open meeting of the Grand Island City Council. The City of Grand Island abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in the back of this room as required by state law.

The City Council may vote to go into Closed Session on any agenda item as allowed by state law.

Invocation - Pastor Terry Brown, Northridge Assembly of God, 3025 Independence Avenue

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

MAYOR COMMUNICATION

This is an opportunity for the Mayor to comment on current events, activities, and issues of interest to the community.



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item E1

**Public Hearing on Request from H & H Catering, Inc. dba
Neater's Alibi, 908 N. Broadwell Avenue for an Addition to Class
"C-79407" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 8, 2008

Subject: Public Hearing on Request from H & H Catering, Inc. dba Neater's Alibi, 908 N. Broadwell Avenue for an Addition to Class "C-79407" Liquor License

Item #'s: E-1 & I-1

Presenter(s): RaNae Edwards, City Clerk

Background

H & H Catering, Inc. dba Neater's Alibi, 908 N. Broadwell Avenue has submitted an application for a Beer Garden, an addition to their Class "C-79407" Liquor License. The request includes an area of approximately 18' x 24' to be added to the north side of the existing building. (See attached drawing.)

Discussion

Chapter 2, Section 012.07 of the Nebraska Liquor Control Commission Rules and Regulations define "Beer garden" as "an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors, and which is contained by a fence or wall preventing the uncontrolled entrance or exit of persons from the premises, and preventing the passing of alcoholic liquors to persons outside the premises" City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, and Health Departments.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.

3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve the application.

Sample Motion

Move to approve the request for an 18' x 24' Beer Garden addition to H & H Catering, Inc. dba Neater's Alibi, 908 N. Broadwell Avenue, Liquor License "C-79407" contingent upon final inspections.

RECEIVED

JUN 06 2008

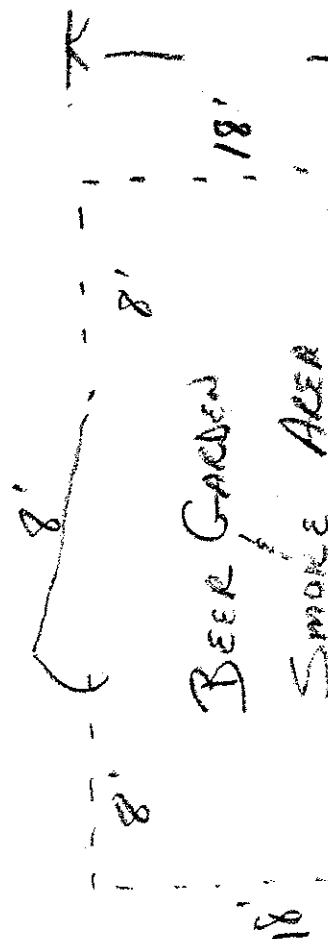
NEBRASKA LIQUOR
CONTROL COMMISSION

PARKING LOT FENCES

WALLS ARE 8' HIGH

8' SWING GATE DO NORTH

24' →



EXISTING BLDG. w/ LICENSE



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item E2

**Public Hearing Concerning Acquisition of Utility Easement - 1815
N. Eddy Street - Jon Strong Washes, LLC**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: July 8, 2008
Subject: Acquisition of Utility Easement – 1815 N. Eddy Street
Jon Strong Washes, LLC
Item #'s: E-2 & G-5
Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Jon Strong Washes, LLC, located on the west side of 5-Points Car Wash located at 1815 N. Eddy Street, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to locate primary underground cable and a pad-mounted transformer to provide additional electrical service to the Car Wash. The business is adding automatic machines to wash cars.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

Sample Motion

Move to approve acquisition of the Utility Easement.

STATE STREET

70'

SCHIMMER'S

WEST LINE-
LOT 5, BLK 27,
SHIMMER'S ADD.

LOT 5

LOT 4

LOT 3

LOT 2

SOUTH LINE-
LOT 5, BLK 27,
SHIMMER'S ADD.

TRACT NO. 1

POINT OF BEGINNING
SW CORNER, LOT 5
BLK 27 SCHIMMER'S
ADDITION

BLOCK 27

VACATED 16' ALLEY PER
ORDINANCE #3361,
RETAINED AS EASEMENT

BROADWELL AVENUE

66'

EDDY

TRACT NO. 2

STREET

ADDITION

18TH ST.

LEGEND



INDICATES
UTILITY EASEMENT



CITY OF GRAND ISLAND	
UTILITIES DEPARTMENT	
EXHIBIT "A"	
DRN BY: K.J.M.	SCALE: 1"= 50'
DATE: 6/12/2008	FILE: SCHIMMERS



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item E3

**Public Hearing Concerning Acquisition of Ingress/Egress
Easement Access at 928 & 1004 Centre Street, Lots 2 and 3
Springdale 2nd Subdivision (Springdale LLC)**

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: July 8, 2008

Subject: Public Hearing Concerning Acquisition of Ingress/Egress Easement at 928 & 1004 Centre Street, Lots 2 & 3 Springdale 2nd Subdivision (Springdale LLC)

Item #'s: E-3 & G-6

Presenter(s): Steven P. Riehle, Public Works Director

Background

Council action is necessary for the City of Grand Island to acquire Ingress/Egress Easements.

Discussion

An Ingress/Egress easement is needed to maintain access to Outlot A (west of Lots 2 & 3) in Springdale 2nd Subdivision. Outlot A is a detention cell. This access easement will consist of the north 10' feet of Lot 2 and the south 10' of Lot 3 in Springdale 2nd Subdivision. The easement will replace the current 10' wide easement at the back of Lots 1 through 7 in the same subdivision being vacated at this council meeting.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

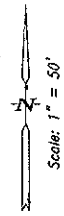
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve the Resolution for the acquisition of the Ingress/Egress Easement.

Sample Motion

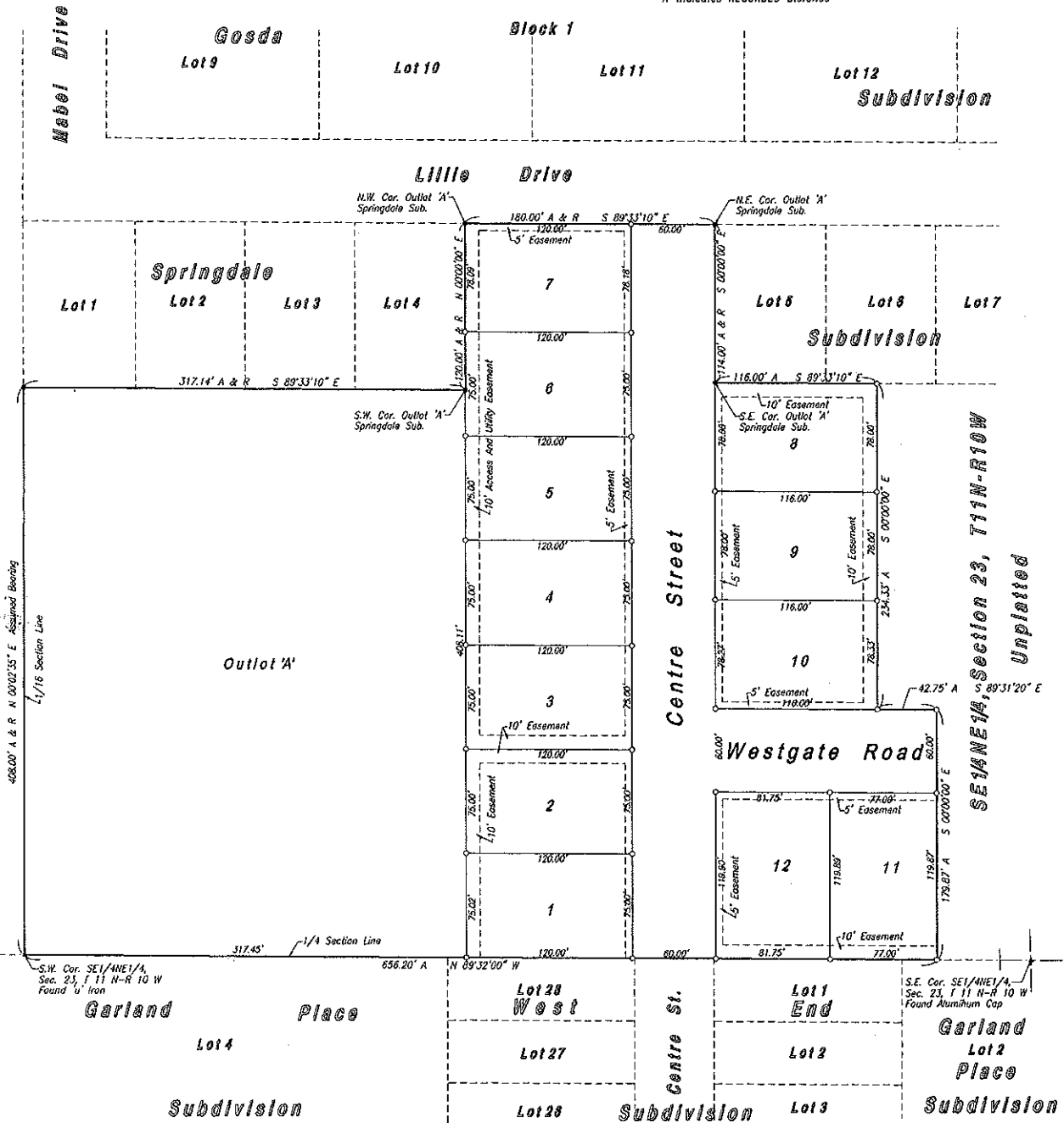
Move to approve the acquisition of the Ingress/Egress Easement.



LEGEND

- Indicates 1/2" Iron Pipe Found Unless Otherwise Noted
- Indicates 1/2" Iron Pipe w/Survey Cap Placed Unless Otherwise Noted
- A Indicates ACTUAL Distance
- R Indicates RECORDED Distance

SE 1/4 NE 1/4, Section 23, T11N-R10W
Unplatted



SPRINGDALE SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA

RECORDED AS INSTRUMENT NO.
0200802037
STATE OF NEBRASKA
COUNTY OF HALL
JAN 12 AM 8 50
REC'D OF REC'D



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item F1

#9176 - Consideration of Vacation of Access Easement on Lots 1 through 7 of Springdale 2nd Subdivision (Springdale LLC)

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: July 8, 2008

Subject: Consideration of Vacation of Access Easement on Lots 1 through 7 of Springdale 2nd Subdivision (Springdale LLC)

Item #'s: F-1

Presenter(s): Steven P. Riehle, Public Works Director

Background

A 10' wide access easement was dedicated at the back of Lots 1 through 7 in Springdale 2nd Subdivision and will not function as intended to maintain Outlot A.

Discussion

On June 11, 2008 Karen Bredthauer, sole member, of Springdale LLC of Grand Island, Nebraska submitted an application for Vacation/Relocation of Easement in Springdale 2nd Subdivision. An access easement consisting of the north 10' of Lot 2 and the south 10' of Lot 3 in Springdale 2nd Subdivision is being dedicated to replace this access easement.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the vacation of the 10' wide access easement at the back of Lots 1 through 7 in Springdale 2nd Subdivision.

Sample Motion

Move to approve the vacation.

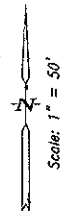
ORDINANCE NO. 9176 (Cont.)

Enacted: July 8, 2008

Margaret Hornady, Mayor

Attest:

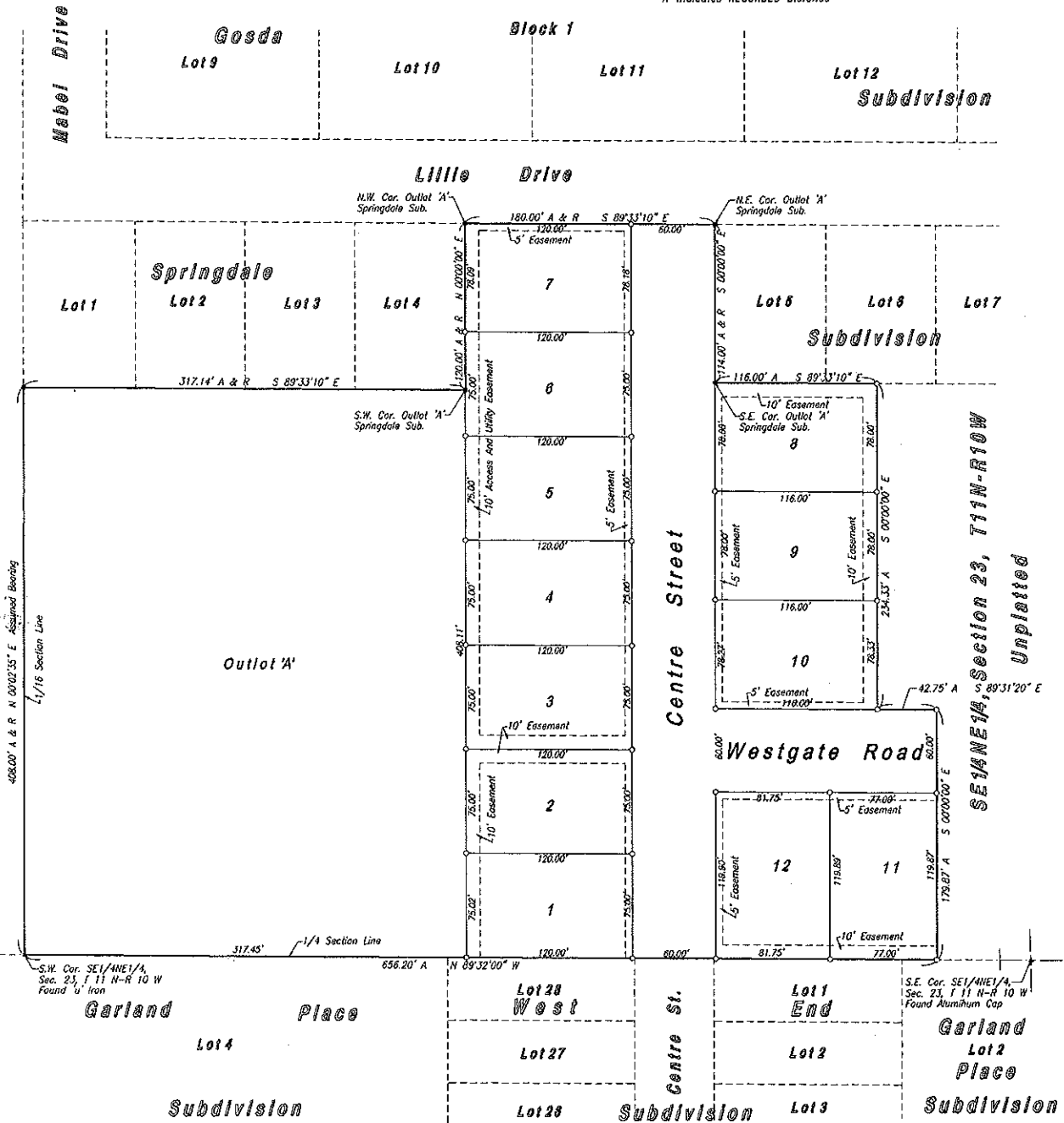
RaNae Edwards, City Clerk



LEGEND

- Indicates 1/2" Iron Pipe Found Unless Otherwise Noted
- Indicates 1/2" Iron Pipe w/Survey Cap Placed Unless Otherwise Noted
- A Indicates ACTUAL Distance
- R Indicates RECORDED Distance

SE 1/4 NE 1/4, Section 23, T11N-R10W
Unplatted



SPRINGDALE SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA

SUBMITTED AS INSTRUMENT NO.
0200802037

STATE OF NEBRASKA
COUNTY OF HALL
JAN 12 AM 8 50
REC'D OF RECORDS



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G1

Receipt of Official Document - Tort Claim Filed by Erin L. Shepherd

Staff Contact: Dale Shotkoski

Council Agenda Memo

From: Dale Shotkoski, City Attorney

Meeting: July 8, 2008

Subject: Receipt of Official Document – Tort Claim filed by Erin L. Shepherd

Item #'s: G-1

Presenter(s): Dale Shotkoski, City Attorney

Background

The City of Grand Island has received a Notice of Tort Claim from Erin L. Shepherd, alleging certain claims in connection with an incident regarding a manhole cover which occurred on July 27, 2007 at the intersection of Phoenix and Clark Streets in Grand Island, Nebraska.

Without getting into issues concerning the City's and other parties' liability, and whether the claim of Erin L. Shepherd is fair and reasonable, we are simply providing a copy of this claim to you in compliance with the Nebraska Political Subdivision Tort Claims Act.

For a person to assert a tort claim against the City of Grand Island, a written notice of the claim must be filed with the City Clerk, Secretary or other official responsible for keeping official records. The claim must be filed within one year of the accrual of the claim, and the Council has six months to act on the claim. No suit can be filed until after the Council acts on the claim, or the six months has run.

Historically, the City of Grand Island has simply let the six months run. Not all claims result in a suit being filed, so it makes good sense to not act affirmatively in many instances. In any event, if you wish to look further into this claim, please contact the City Attorney's office, and we will provide you with the information which we have in connection with the claim. Our recommendation is to continue to take no affirmative action on tort claims. It must be emphasized that by providing copies of alleged claims to you, we are not making an admission or representation that a claim has been properly filed in any respect. We also recommend that no comments concerning a particular claim be made during Council meetings, unless you decide to bring the matter on for formal consideration. Even then, we ask that comments be carefully considered so that the legal rights of all parties are preserved.

Discussion

This is not an item for council action other than to simply acknowledge that the claim has been received.

Recommendation

City Administration recommends that the Council take no action other than acknowledge receipt of the claim.

Sample Motion

Move to approve acknowledgement of the Tort Claim filed by Erin L. Shepherd.

LAW OFFICES
DOWDING, DOWDING & DOWDING

2121 N. Webb Road
Suite 210
P.O. Box 5315
Grand Island, NE 68802

Vince Dowding
Joseph C. Dowding
Steven W. Dowding
Jeffrey A. Bloom

201 N. 8th Street
Suite 242
P.O. Box 83103
Lincoln, NE 68501-3103

(308) 382-9244
FAX (308) 382-9264

(Please Reply To Grand Island Office)

(402) 477-1010
FAX (402) 477-9913

June 16, 2008

Ms. RaNae Edwards
City Clerk
P.O. Box 1968
Grand Island, NE 68802-1968

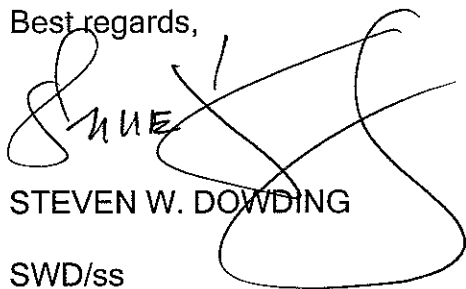
City of Grand Island
Legal Department
100 East First Street
Grand Island, NE 68801

RE: My Client: Erin L. Shepherd
Date of Loss: July 27, 2007

Dear Ms. Edwards:

Please find enclosed the Claim Against the City of Grand Island of Erin L. Shepherd. We are requesting that the claim be reviewed and that we be provided with notice of any decisions regarding the claim. Please provide the notice to me at the above Grand Island address.

Best regards,


STEVEN W. DOWDING

SWD/ss
enc.

cc: Erin Shepherd



Claim Against the City of Grand Island

Who is Making the Claim:

Name: Erin L. Shepherd

Address: 1007 So. Greenwich Street, Grand Island, NE 68801

What Happened? Erin Shepherd was walking south on Clark Street, just south of the intersection of Phoenix and Clark and stepped on a manhole cover. The manhole cover gave way and Erin sustained severe lacerations to her right inner thigh, which required surgical correction and she also sustained a right elbow radial neck fracture.

Where did it happen? On the west sidewalk on Clark Street, just south of the intersection of Phoenix and Clark.

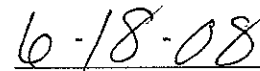
When did it happen (time and date)? July 27, 2007

What are the damages? (Exact dollar amount of claim; please attach copies of bills, estimates or other appropriate documents.) \$100,000.00 (medical bills, out-of-pocket expenses, and non-economic damages for permanent scarring, permanent impairment, pain and suffering past present and future, and mental anguish, post traumatic stress) copy of a medical expense summary with related bills attached

Who do you believe is at fault, and why? City of Grand Island for failure to secure, inspect, and warn of a dangerous condition for which they had actual or constructive notice



Signature of person making claim



Date



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G2

Approving Minutes of June 24, 2008 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 24, 2008

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on June 24, 2008. Notice of the meeting was given in *The Grand Island Independent* on June 18, 2008.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Haase, Zapata, Nickerson, Gericke, Carney, Ramsey, Niemann, and Meyer. Councilmember's Brown and Gilbert were absent. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, Finance Director David Springer, City Attorney Dale Shotkoski, and Public Works Director Steve Riehle.

INVOCATION was given by Father Vince Parsons, St. Mary's Catholic Church, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council Members Sammy Sayavongsa and Zach Stauffer.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "A Community of One – Unity Walk" June 28, 2008. Mayor Hornady proclaimed June 28, 2008 as "A Community of One – Unity Walk". Paul Briseno, President of the Multicultural Coalition and Ken Gnadt were present for the presentation.

PUBLIC HEARINGS:

Public Hearing on Request from The Cigarette Store Corp. dba Smoker Friendly/T & D Liquors, 802 West 2nd Street for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from The Cigarette Store Corp. dba Smoker Friendly/T & D Liquors, 802 West 2nd Street for a Class "C" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 5, 2008; notice to the general public of date, time, and place of hearing published on June 14, 2008; notice to the applicant of date, time, and place of hearing mailed on June 5, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and with the restriction there be no alcohol or beer sold through the drive-up window. Dan Gallagher, Owner, 5303 Spine Road #101, Boulder, Colorado was present to answer questions. No further public testimony was heard.

Public Hearing on Request from B & D Management, Inc. dba Bunkhouse Sports Bar and Grill, 3568 West Old Highway 30 for an Addition to Class "C-78875" Liquor License. RaNae Edwards, City Clerk reported that an application for a Sidewalk Café had been received from B & D Management, Inc., dba Bunkhouse Sports Bar and Grill, 3568 West Old Highway 30 for a 9' x 35' addition to the west side of the existing building to their Class "C-78875" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 4, 2008; notice to the general

public of date, time, and place of hearing published on June 14, 2008; notice to the applicant of date, time, and place of hearing mailed on June 6, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from Stratford Plaza LLC dba Howard Johnson Riverside Inn, 3333 Ramada Road for an Addition to Class "C-65949" Liquor License. RaNae Edwards, City Clerk reported that an application for a Beer Garden had been received from Stratford Plaza LLC dba Howard Johnson Riverside Inn, 3333 Ramada Road for a 32' x 25' addition to the north side of the existing building to their Class "C-65949" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 3, 2008; notice to the general public of date, time, and place of hearing published on June 14, 2008; notice to the applicant of date, time, and place of hearing mailed on June 3, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from Balz, Inc. dba Balz Sports Bar, 3421 West State Street for an Addition to Class "C-39140" Liquor License. RaNae Edwards, City Clerk reported that an application for a Beer Garden had been received from Balz, Inc., dba Balz Sports Bar, 3421 West State Street for a 22' x 66' and a 35' x 28' addition to the north side of the existing building to their Class "C-39140" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 11, 2008; notice to the general public of date, time, and place of hearing published on June 14, 2008; notice to the applicant of date, time, and place of hearing mailed on June 11, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing Concerning Change of Zoning for Land Located North of Trust Street, South of Rolling Green Drive from RD Residential Development to Amended RD Residential Development (Good Samaritan Subdivision). Chad Nabity, Regional Planning Director reported the request to rezone Good Samaritan Subdivision would change the number of units for Lot 3 from 14 to 28 Senior Housing Apartments to 37 to 65 Senior Housing Apartments. Leah Burkhardt, 1503 Marshall Street, Wood River and Ken Gnadt, 1610 Gretchen Avenue spoke in support. No further public testimony was heard.

Public Hearing Concerning Change of Zoning for Grand Island Mall Fifteenth Subdivision from CD Commercial Development to Amended CD Commercial Development. Chad Nabity, Regional Planning Director reported the request would create a new lot along the east side of the development north of College Street extended and west of Webb Road. Dawn Noka, 7437 Grand Oaks Drive, Lincoln spoke in support. No further public testimony was heard.

Public Hearing to Amend Chapter 36 of the Grand Island City Code Relative to Flood and Reference Maps. Chad Nabity, Regional Planning Director reported the changes proposed were necessary to insure that all communities in Hall County were properly managing the flood plain in their jurisdictions. No public testimony was heard.

Public Hearing Concerning the Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan. Mark Stelk, Vice-Chairman of the Citizens' Review Committee reported that the Citizens' Review Committee was required by State Statute and the

Grand Island City Code to make a semi-annual report to the City Council. Dehn Renter, CRC President, 1820 N. Sherman Court gave the semi-annual report. No further public testimony was heard.

Public Hearing on Request from Mission Nebraska, Inc. for a Conditional Use Permit for Installation of a 40 Foot Tower Located at 3347 West Capital Avenue. Craig Lewis, Building Department Director reported the request was for construction of a 40 foot tall studio transmitter tower and a 6 foot antenna. Mission Nebraska, Inc. owns radio station 95.7 FM and was moving their office and studio to Grand Island and needed the wireless communication tower to transmit programming. Stan Parker, 2530 Q Street, Lincoln spoke in support. No further public testimony was heard.

ORDINANCES:

Councilmember Meyer moved “that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinances numbered:

#9173 – Consideration of Change of Zoning for Land Located North of Trust Street, South of Rolling Green Drive from RD Residential Development to Amended RD Residential Development (Good Samaritan Subdivision)

#9174 – Consideration of Change of Zoning for Grand Island Mall Fifteenth Subdivision from CD Commercial Development to Amended CD Commercial Development

#9175 – Consideration of Amending Chapter 36 of the Grand Island City Code Relative to Flood and Reference Maps

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson second the motion. Upon roll call vote, all voted aye. Motion adopted.

Ordinances #9173, #9174 and #9175 related to the aforementioned Public Hearing.

Motion by Meyer, second by Ramsey to approve Ordinances #9173, #9174 and #9175.

City Clerk: Ordinances #9173, #9174 and #9175 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9173, #9174 and #9175 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9173, #9174 and #9175 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G13-was pulled for further discussion. Motion by Zapata, second by Carney to approve the Consent Agenda excluding item G-13. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 10, 2008 City Council Regular Meeting.

Approving Minutes of June 17, 2008 City Council Study Session.

Approving Re-Appointments of Lisa Crumrine and Steven Beck to the Community Development Advisory Board.

Approving Appointments of Michelle Oldham and Kristin McElligott and Re-Appointment of Lori Hock to the Library Board.

#2008-162 – Approving Final Plat and Subdivision Agreement for Grand Island Mall Fifteenth Subdivision. It was noted that Grand Island Mall, LTD owners had submitted the Final Plat and Subdivision Agreement for Grand Island Mall Fifteenth Subdivision located west of Webb Road and south of Capital Avenue for the purpose of creating one lot.

#2008-163 – Approving Final Plat and Subdivision Agreement for La Luc Subdivision. It was noted that Jose O. and Florencia O. Garcia, owners had submitted the Final Plat and Subdivision Agreement for La Luc Subdivision, a tract of land located in the SE1/4 SW1/4 of Section 4-11-9, north of Capital Avenue and east of Ashley Park.

#2008-164 – Approving the Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan.

#2008-165 – Approving Certificate of Final Completion for Campground Potable Water System at Heartland Public Shooting Park with Island Plumbing, Inc. of Grand Island, Nebraska.

#2008-166 – Approving Obligation of Revolving Loan Funds for Environmental Review Update at Cornhusker Industrial Park.

#2008-167 – Approving Bid Award for Sludge Dewatering Polymer for Belt Filter Presses at the Waste Water Treatment Plant. This item was pulled from the agenda at the request of the Public Works Department.

#2008-168 – Approving Proposal for Professional Services for the Supervisory Control and Data Acquisition System (SCADA) at the Waste Water Treatment Plan with Huffman Engineering, Inc. of Lincoln, Nebraska in an amount of \$241,880.00.

#2008-169 – Approving 2008/2009 Fee Schedule.

#2008-171 – Approving 2008/2009 Outside Agencies Funding.

#2008-172 – Approving Employee Group Life Insurance Contract with Aetna, Inc. of Hartford, Connecticut for an Annual Amount of Approximately \$42,000.00.

#2008-173 – Approving Change Order No. 21 with Chief Construction of Grand Island, Nebraska for the Law Enforcement Center in an Amount of \$1,650.00 and a Revised Contingency Amount of \$21,165.14.

#2008-170 – Approving 2008/2009 FTE's. Discussion was held on the need for the additional FTE's. Motion was made by Meyer, second by Ramsey to approve Resolution #2008-170. Upon roll call vote, Councilmember's Zapata, Nickerson, Carney, Ramsey, Niemann and Meyer voted aye. Councilmember's Haase and Gericke voted no. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Mission Nebraska, Inc. for a Conditional Use Permit for Installation of a 40 Foot Tower Located at 3347 West Capital Avenue. This item relates to the aforementioned Public Hearing.

Motion by Nickerson, second by Zapata to approve the request from Mission Nebraska, Inc. for a wireless communications tower. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2008-174 – Consideration of Request from The Cigarette Store Corp. dba Smoker Friendly/T & D Liquors, 802 West 2nd Street for a Class "C" Liquor License and Liquor Manager Request from Megan Kenney, PO Box 131, Phillips, Nebraska. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing. Question was answered regarding the Class "C" designation which allows on and off sale of alcohol. Mr. Gallagher stated the reason was for wine tasting only.

Motion by Meyer, second by Carney to approve Resolution #2008-174 contingent upon final inspections and with the restriction there be no sale of alcohol or beer through the drive-up window. Upon roll call vote, all voted aye. Motion adopted.

#2008-175 – Consideration of Request from B & D Management, Inc. dba Bunkhouse Sports Bar and Grill, 3568 West Old Highway 30 for an Addition of 9' x 35' area for a Sidewalk Café to Class "C-78875" Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Carney to approve Resolution #2008-175 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2008-176 – Consideration of Request from Stratford Plaza LLC dba Howard Johnson Riverside Inn, 3333 Ramada Road for an Addition of 32' x 25' area for a Beer Garden to Class "C-68949" Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Carney to approve Resolution #2008-176 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2008-177 – Consideration of Request from Balz, Inc. dba Balz Sports Bar, 3421 West State Street for an Addition of 22' x 66' area for a Beer Garden and an additional 35' x 28' area to Class "C-78875" Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Carney to approve Resolution #2008-177 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady excused herself from the meeting due to a conflict of interest and turned the meeting over to President Mitch Nickerson.

#2008-178 – Consideration of Approving Contract for Animal Control Services. Jeff Pederson, City Administrator reported the current five-year contract for animal control services with the Central Nebraska Humane Society would expire September 30, 2008. Request for Proposals were opened on May 30, 2008 with three proposals received. An evaluation team reviewed the proposals using evaluation criteria and recommended Dr. James Kimbrough and Carole Kimbrough dba Grand Island Animal Services for animal control and sheltering services be approved.

The following people spoke in support:

- Susan Koenig, Attorney for Kimbrough's, 308 North Locust Street
- Jim Kimbrough, 7800 No. U.S. Hwy. 281

The following people spoke in opposition:

- Laurie Dethloff, 4204 Kay Avenue
- Tina Reichert, 1104 East Phoenix
- Chris Eberhardt, 523 South Clay
- Mike Kleffner, 2803 West Waugh Street
- Deb Wetzel, 1003 Nebraska Avenue
- JoAnn Rap, 802 East 15th Street
- Ardith May, 2530 North Webb Road
- Lewis Kent, 624 East Meves
- Jim Heil, 649 McCarthy
- Gail Yenny, 1716 Rainbow Road
- Marsha Jaeger, 1716 Virginia Drive
- Bill Marshall, 712 Grand Avenue
- Ken Gnadt, 1610 Gretchen Avenue
- Tim Dethloff, 4204 Kay Avenue
- James Truell, 903 West Division

Jay Vavricek, 2729 Brentwood Blvd. requested Council table this issue for further information.

Discussion was held on hours of service, office hours, etc. Jim & Carole Kimbrough explained the services they would provide and that their hours were negotiable. Wes Nespor, Assistant City Attorney explained the differences in the bid process versus the request for proposal process.

Motion by Gericke, second by Carney to deny Resolution #2008-178 based on the lack of understanding and information to council and not low bid.

Motion by Meyer, to call the questions. Upon roll call vote, Councilmember's Haase, Zapata, Nickerson, Carney, Ramsey, Niemann, and Meyer voted aye. Councilmember Gericke voted no. Motion adopted.

Upon roll call vote on the original motion, Councilmember's Zapata, Gericke, Carney, Ramsey and Niemann voted aye. Councilmember Nickerson voted no. Councilmember's Haase and Meyer abstained. Motion failed.

PAYMENT OF CLAIMS:

Motion by Gericke, second by Haase to approve the Claims for the period of June 11, 2008 through June 24, 2008, for a total amount of \$2,837,372.90. Motion adopted unanimously.

EXECUTIVE SESSION: Motion by Meyer, second by Haase to adjourn to Executive Session for the purpose of an update on IBEW Union Contract Negotiations and Real Estate Acquisition – Hall County Livestock Improvement Association at p.m. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Meyer, second by Haase to return to regular session at p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 12:00 a.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G3

**#2008-179 - Approving Final Plat and Subdivision Agreement for
Spencer Acres Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: July 8, 2008

Subject: Spencer Acres Subdivision – Final Plat

Item #'s: G-3

Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This final plat proposes to create 4 lots between Ravenwood Subdivision and Hidden Lakes Subdivision. Two lots are slightly more than 1 acre in size and the other two are 3 and 4.4 acres. City Sewer and Water are not available to these lots. The Nebraska Department of Environmental Quality has approved septic systems on these lots. All of the lots front onto existing public right-of-way. The property is zoned LLR Large Lot Residential and would permit 20,000 square foot lots. This land consists of approximately 10.135 acres. This property is located on the west Gunbarrel Road with Pheasant Drive on the north and the south.

Discussion

The final plat for Spencer Acres Subdivision was considered under by the Regional Planning Commission at the July 2, 2008 meeting. A motion was made by Miller, and seconded by Eriksen, to approve the plat as presented. A roll call vote was taken and the motion carried with 8 members present voting in favor (Miller, O'Neill, Reynolds, Haskins, Eriksen, Bredthauer, Heineman, and Snodgrass).

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

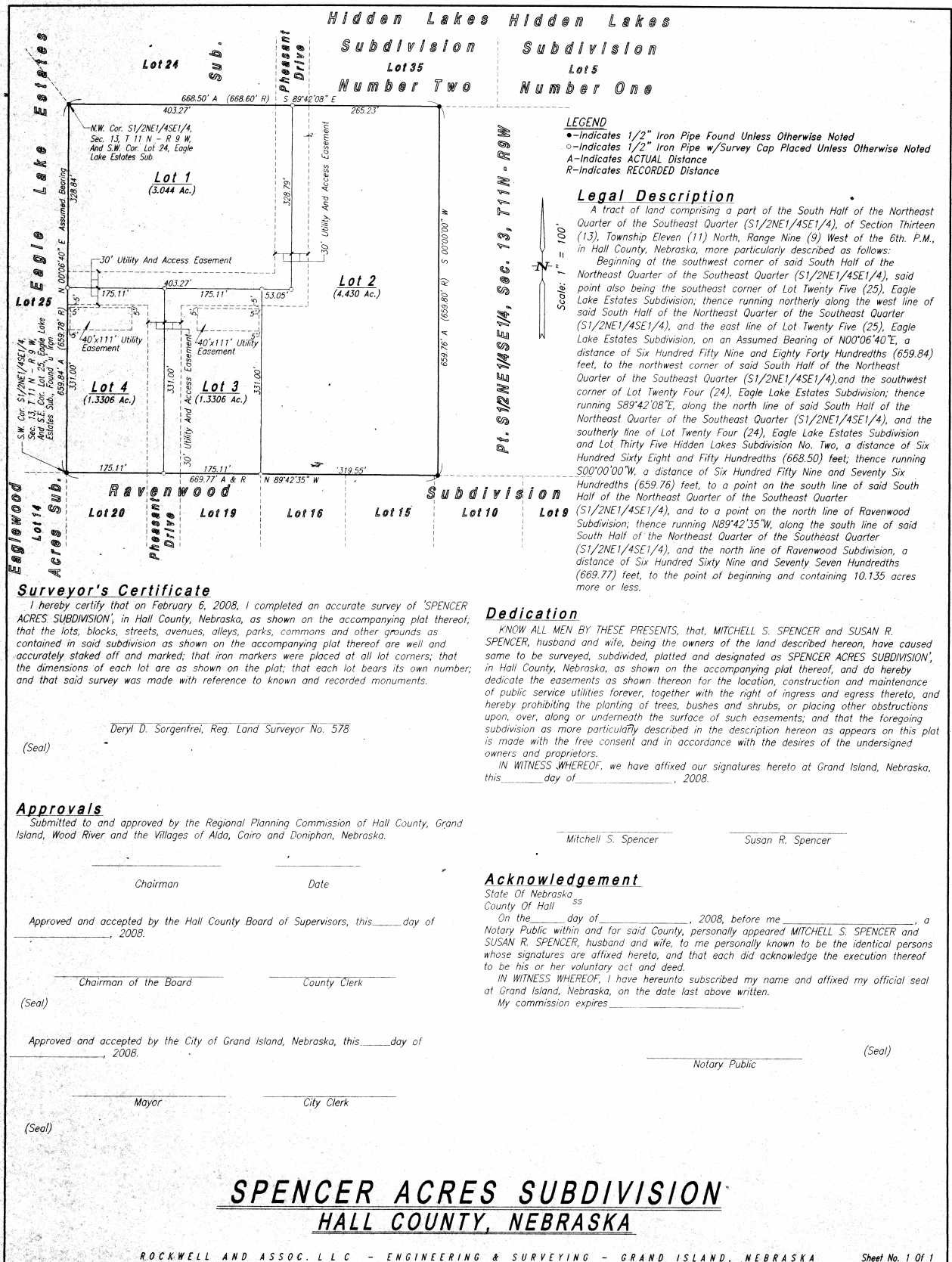
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the final plat as presented.

Sample Motion

Move to approve as recommended.



Spencer Acres Subdivision Final Plat Summary

Developer/Owner

Mitchell S. and Susan R. Spencer
436 Pheasant Drive
Grand Island, NE 68801

4 Lots west of Gunbarrel Road between Pheasant Drive on the north and south.

Size: 10.135 Acres

Zoning LLR-Low Density Residential.

Road Access: Public City Streets, no new streets

Water Public: City Water **is not** available to all lots.

Sewer Public: City Sewer **is not** available to all lots.



RESOLUTION 2008-179

WHEREAS, Mitchell S. Spencer and Susan R. Spencer, husband and wife, as owners, have caused to be laid out into lots, a tract of land comprising a part of the South Half of the Northeast Quarter of the Southeast Quarter (S½NE¼SE¼) of Section Thirteen (13), Township Eleven (11) North, Range Nine (9), West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska, under the name of SPENCER ACRES SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owners of the property and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of SPENCER ACRES SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
July 3, 2008	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G4

#2008-180 - Approving Amended Subdivision Agreement for Good Samaritan Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: July 8, 2008

Subject: Good Samaritan Subdivision – Amendments to the Subdivision Agreement

Item #'s: G-4

Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

Council approved the changes to the RD Residential Development district for Good Samaritan Subdivision on June 24 with Ordinance #9173 that will allow additional units on block 1 lot 3 of this development. To formalize those changes an amended subdivision agreement needs to be signed by both the developer and the city. The subdivision agreement will be amended to reflect the approved changes.

Discussion

Planning Commission recommended approval of these changes with the recommendation to approve the modified development plan at their meeting on June 4, 2008.

A roll call vote was taken and the motion passed with seven members present (O'Neill, Ruge, Hayes, Monter, Haskins, Bredthauer, Snodgrass) voting in favor and no member present abstaining.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the subdivision agreement and direct the Mayor to sign the agreement on behalf of the City with changes as approved with ordinance #9173 on June 24, 2008.

Sample Motion

Move to approve as recommended.

RESOLUTION 2008-180

WHEREAS, The Evangelical Lutheran Good Samaritan Society, as owner, has caused to be laid out into lots and blocks, a tract of land in the city of Grand Island, Hall County, Nebraska, under the name of GOOD SAMARITAN SUBDIVISION, and has caused a plat thereof to be acknowledged by it and wishes to amend the existing subdivision agreement; and

WHEREAS, a copy of the plat of such amended subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of amended subdivision agreement has been agreed to between the owner and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of the amended subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of GOOD SAMARITAN SUBDIVISION, as made out and amended, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
July 2, 2008	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G5

**#2008-181 - Approving Acquisition of Utility Easement - 1815 N.
Eddy Street - Jon Strong Washes, LLC**

This item relates to the aforementioned Public Hearing Item E-2.

Staff Contact: Gary R. Mader

R E S O L U T I O N 2008-181

WHEREAS, a public utility easement is required by the City of Grand Island, from Jon Washes, LLC, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on July 8, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

TRACT NO. 1

Beginning at the Southwest corner of Lot Five (5) Block Twenty Seven (27) Schimmer's Addition; thence northwesterly along the westerly line of said Lot Five (5), a distance of thirty eight (38.0) feet; thence northeasterly, parallel with the southerly line of said Lot Five (5), a distance of forty five (45.0) feet; thence southeasterly, parallel with the westerly line of said Lot Five (5), a distance of twenty (20.0) feet; thence southwesterly, parallel with the southerly line of said Lot Five (5), a distance of thirty five (35.0) feet; thence southeasterly, parallel with the westerly line of said Lot Five (5), a distance of eighteen (18.0) feet to a point on the southerly line of said Lot Five (5); thence southwesterly along the southerly line of said Lot Five (5), a distance of ten (10.0) feet to the Southwest corner of said Lot Five (5) being the said point of beginning.

TRACT NO. 2

The westerly ten (10.0) feet of the northerly thirty two (32.0) feet of Lot Six (6) Block Twenty Seven Schimmer's Addition.

The above-described easement and right-of-way containing a combined total of 0.032 acres, more or less, as shown on the plat dated 6/12/2008, marked Exhibit "A", attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Jon Strong Washes, LLC, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ July 2, 2008 <input type="checkbox"/> City Attorney

STATE STREET

70'

SCHIMMER'S

WEST LINE-
LOT 5, BLK 27,
SHIMMER'S ADD.

LOT 5

LOT 4

LOT 3

LOT 2

52.8'

SOUTH LINE-
LOT 5, BLK 27,
SHIMMER'S ADD.

TRACT NO. 1

POINT OF BEGINNING
SW CORNER, LOT 5
BLK 27 SCHIMMER'S
ADDITION

45.0'
35.0'
38.0'
10.0'

BLOCK 27

VACATED 16' ALLEY PER
ORDINANCE #3361,
RETAINED AS EASEMENT

BROADWELL AVENUE

66'

EDDY

TRACT NO. 2

STREET

ADDITION

18TH ST.

LEGEND



INDICATES
UTILITY EASEMENT



CITY OF
GRAND ISLAND

UTILITIES DEPARTMENT

EXHIBIT "A"

DRN BY: K.J.M.

SCALE: 1"= 50'

DATE: 6/12/2008

FILE: SCHIMMERS



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G6

**#2008-182 - Approving Acquisition of Ingress/Egress Easement
Access at 928 & 1004 Centre Street, Lots 2 and 3 Springdale 2nd
Subdivision (Springdale LLC)**

This item relates to the aforementioned Public Hearing Item E-3.

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

RESOLUTION 2008-182

WHEREAS, an easement is required by the City of Grand Island, from the owner's of Lot 2 and 3 in Springdale 2nd Subdivision, located at 928 and 1004 Centre Street, for ingress and egress purposes to access Outlot A; and

WHEREAS, a public hearing was held July 8, 2008, for the purpose of discussing the acquisition of the proposed ingress/egress rights-of-way; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire ingress/egress rights-of-way as described on Exhibit "A" attached hereto, located on lots 2 & 3 in Springdale 2nd Subdivision at 928 and 1004 Centre Street for ingress/egress purposes.

- - -

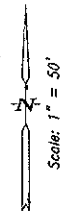
Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

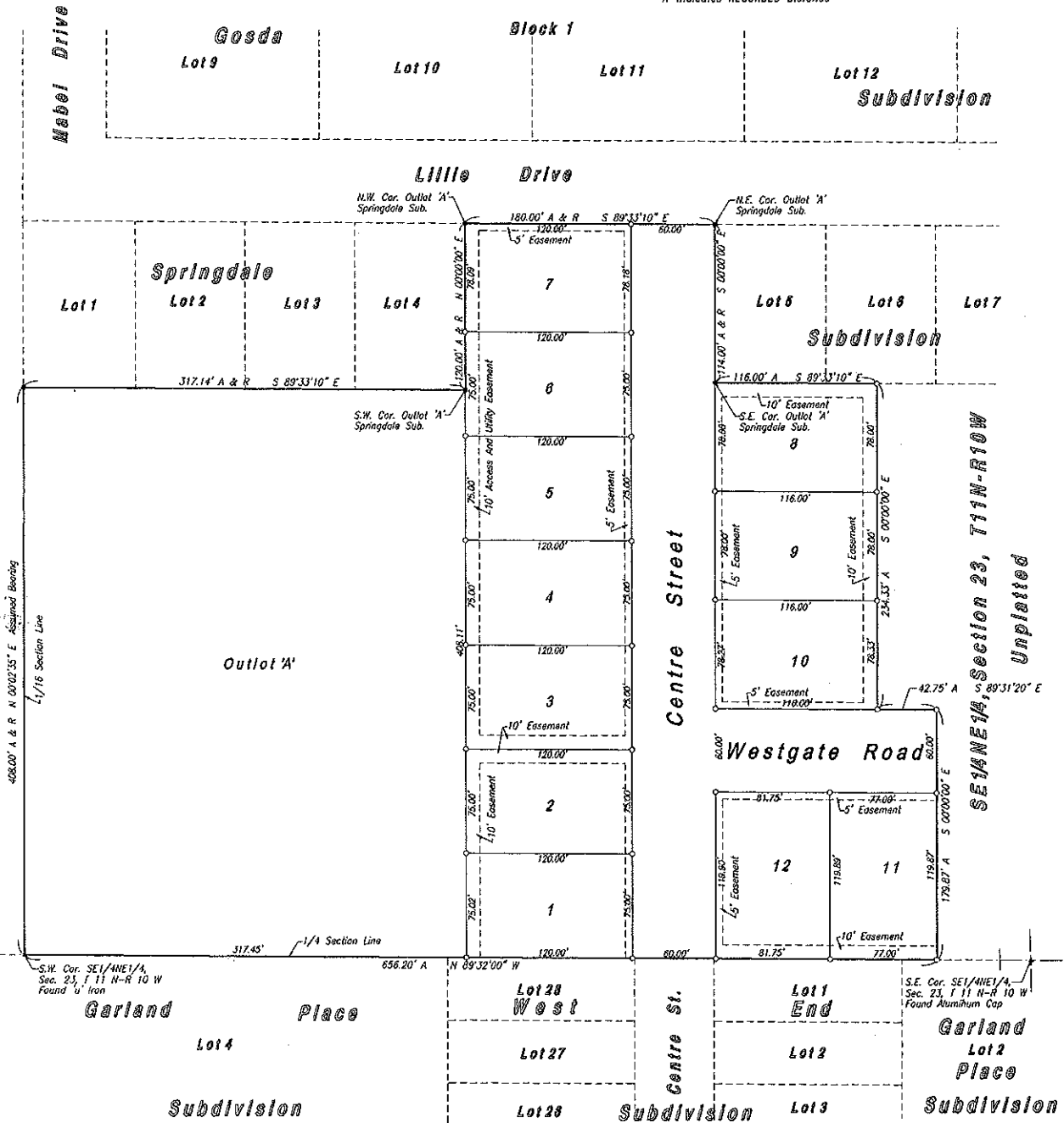
Approved as to Form	☐ _____
July 2, 2008	☐ City Attorney



LEGEND

- Indicates 1/2" Iron Pipe Found Unless Otherwise Noted
- Indicates 1/2" Iron Pipe w/Survey Cap Placed Unless Otherwise Noted
- A Indicates ACTUAL Distance
- R Indicates RECORDED Distance

SE 1/4 NE 1/4, Section 23, T11N-R10W
Unplatted



SPRINGDALE SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA

RECORDED AS INSTRUMENT NO.
0200802037
STATE OF NEBRASKA
COUNTY OF HALL
JAN 12 AM 8 50
REC'D OF REC'D



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G7

#2008-183 - Approving Update to Resolution 2008-167; Bid Award of Sludge Dewatering Polymer for Belt Filter Presses at the Waste Water Treatment Plant

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: July 8, 2008

Subject: Approving Update to Resolution 2008-167; Bid Award of Sludge Dewatering Polymer for Belt Filter Presses at the Waste Water Treatment Plant

Item #'s: G-7

Presenter(s): Steven P. Riehle, Public Works Director

Background

On June 24, 2008 the City Council passed Resolution 2008-167 approving the bid award of Sludge Dewatering Polymer for belt filter presses at the Waste Water Treatment Plant.

Discussion

Resolution 2008-167 stated manufactured polymer, Nalco 71300 to be \$0.99 per pound for the current fiscal year and \$1.04 per pound for fiscal year 2008/2009. Due to the extensive testing that was required in order to compare bids received for the polymer, the 45 day guarantee of bids expired. Nalco Company has requested that the City update the prices to \$1.13 per pound for the 2007/2008 fiscal year and \$1.25 for the 2008/2009 fiscal year.

The request at this time is to update the resolution to reflect the price change.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve update to Resolution 2008-167 to reflect the price change.

Sample Motion

Move to approve update to Resolution 2008-167.

SUPPLIER'S AGREEMENT

AGREEMENT

THIS AGREEMENT made and entered into this 25th day of **June 2008**, by and between **Nalco Company** hereinafter called the Supplier, and the **City of Grand Island, Nebraska**, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused agreement documents to be prepared and an advertisement calling for bids to be published, for supply of **“Sludge Dewatering Polymer” at the Waste Water Treatment Plant**; and

WHEREAS, the City, in the manner prescribed by law, has publicly opened, examined, and canvassed the proposals submitted, and has determined the aforesaid Supplier to be the lowest responsive bidder, and has duly awarded to the said Supplier a agreement therefore, for the sum or sums named in the Supplier’s bid, a copy thereof being attached to and made a part of this agreement; and

WHEREAS, during the agreement period, the City reserves the right to restate and/or renegotiate with the Polymer Supplier such additions, deletions, or changes to the agreement as may be necessitated by law or changed circumstances. In the event that the City and the Supplier cannot come to a mutual agreement and negotiation on any such addition, deletion or change, that portion of the agreement concerning the services in the addition, deletion, or change shall be terminated after thirty (30) days following written notice to the Supplier; and

WHEREAS, during the agreement period, the Public Works Director or his or her designee shall assess the polymer supplier’s performance on the agreement and reserves the right to inspect the Supplier’s materials and methods during any specific period. In the event of a breach of the agreement by the Supplier or unsatisfactory performance as assessed by the Public Works Director, or if the Supplier performs in a manner that precludes the City from administering its functions in an effective and efficient manner, and if, after thirty (30) days following written notice to the Supplier, the City will be authorized to cancel the agreement, thereafter reserving the right to proceed against the Supplier for any and all damages permitted by law arising from said breach. The Supplier shall not be held responsible for any failure determined to the satisfaction of the Public Works Director to be due to any action or inaction on the part of the City; and

WHEREAS, the City reserves the right to provide for additional services from other polymer or other type suppliers, if the City so deems necessary. If the City elects to exercise this right, the agreement covered by the bid shall remain in effect as regards all terms, agreements and conditions without penalty or diminution of ongoing services as contained therein and previously provided by the successful Supplier bid; and

WHEREAS, the period of the agreement for polymer shall commence within thirty (30) days of City Council approval and shall terminate on the 30th day of September, 2009. The City reserves the right to renew the agreement for one additional year period pending a mutual agreement between the City and the Supplier, and a review of agreement performance by the Supplier for the previous year; and

NOW, THEREFORE, in consideration of the compensation to be paid to the Supplier and of the mutual agreements herein contained, the parties have agreed and hereby agree, the City for itself and its successors, and the Supplier for itself, himself, or themselves, and its, their , or their successors, as follows:

ARTICLE I. That the Supplier shall (a) furnish product in two hundred and seventy five (275) gallon totes; (b) deliver product ordered on site; Grand Island, Nebraska, on as needed basis, within seven (7) calendar days upon receipt of order; (c) employee services of a chemical engineer for onsite testing quarterly, and assist in technical questions via telephone during normal business hours; (d) furnish, as agent for the City,

product specified incorporated in and form a permanent part of the finished product; (e) provide and perform all necessary labor; and in accordance with the requirements, stipulations, provisions, and conditions of the bidding documents, said documents forming the agreement and being as fully a part thereof as if repeated verbatim herein, perform, execute, all work included in and covered by the City's official award of this agreement to the said Supplier, such award being based on the acceptance by the City of the Supplier's bid;

ARTICLE II. That the City shall pay to the supplier for the product of the work embraced in this agreement and the supplier will accept as full compensation therefore the sum (subject to adjustment as provided by the agreement) of :

Manufactured Liquid Polymer for the: Belt Filter Press Process Stream

1) Current fiscal year through September 30, 2008

1.13 Dollars per pound of liquid polymer for product; Nalco 71300

2) Fiscal year October 1, 2008 through September 30, 2009

1.25 Dollars per pound of liquid polymer for product; Nalco 71300

for all services, materials, and work covered by and included in the agreement award and designated in the foregoing Article I; payment of invoices thereof to be made in cash or its equivalent in the manner provided in the bidding documents.

ARTICLE III. The supplier hereby agrees to act as agent for the City in purchasing materials and supplies for the City for this project. The City shall be obligated to the vendor of the materials and supplies for the purchase price, but the supplier shall handle all payments hereunder on behalf of the City. The vendor shall make demand or claim for payment of the purchase price from the City by submitting an invoice to the supplier. Title to all materials and supplies purchased hereunder shall vest in the City directly from the vendor. Regardless of the method of payment, title shall vest immediately in the City. The supplier shall not acquire title to any materials and supplies incorporated into the project. All invoices shall bear the supplier's name as agent for the City. This paragraph will apply only to these materials and supplies actually incorporated into and becoming a part of the finished product of **"Sludge Dewatering Polymer" at the Waste Water Treatment Plant.**

ARTICLE IV. The Supplier agrees to comply with all applicable State fair labor standards in the execution of this agreement as required by Section 73-102, R.R.S. 1943. The Supplier further agrees to comply with the provisions of Section 48-657, R.R.S. 1943, pertaining to contributions to the Unemployment Compensation Fund of the State of Nebraska. During the performance of this agreement, the supplier and all subcontractors agree not to discriminate in hiring or any other employment practice on the basis of race, color, religion, sex, national origin, age or disability. The Supplier agrees to comply with all applicable Local, State and Federal rules and regulations.

ARTICLE V. The Supplier shall provide the services within the period of time stipulated above, unless an extension of time is granted by the City Council.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

Supplier _____

By _____

Date _____

Title _____

CITY OF GRAND ISLAND, NEBRASKA,

By _____
Mayor

Date _____

Attest: _____
City Clerk

The agreement and bond are in due form according to law and are hereby approved.

Attorney for the City

Date _____

RESOLUTION 2008-183

THAT WHEREAS, Advertisement to Bidders for Sludge Dewatering Polymer was published in the Grand Island Daily Independent on February 15, 2008; and

WHEREAS, the City of Grand Island, Public Works Department, Waste Water Division has concluded testing of proposed Sludge Dewatering Polymer for the Belt Filter Press process; and

WHEREAS, Consolidated Equipment Company, of Omaha, Nebraska being the supplier of a manufactured liquid polymer, such being labeled Ashland K148L; and

WHEREAS, Consolidated Equipment Company, of Omaha, Nebraska has shown best performance range, historically and in testing of foresaid polymer in the Belt Filter Press facility based on variable ranges of solids processed; and

WHEREAS, Nalco Company, of Naperville, Illinois being the supplier of a manufactured liquid polymer, such being labeled Nalco 71300; and

WHEREAS, Nalco Company, of Naperville, Illinois has shown best value in testing of foresaid proposed polymer in the Belt Filter Press facility based on cost per ton of solids processed; and

WHEREAS, due to extensive testing required to compare bids the 45 day guarantee of bids expired and due to increased fuel prices has caused Nalco Company to raise the price to \$1.13 per pound for current fiscal year thru 30 September 2008 and \$1.25 per pound for fiscal year 1 October 2008 thru 30 September 2009; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the supply of a manufactured polymer; Nalco 71300, in the amount of \$ 1.13 per pound for current fiscal year and \$1.25 per pound for next fiscal year for supply and services in Sludge Dewatering Polymer for the Belt Filter Press process is hereby approved as the primary manufactured liquid polymer proposed for the best value per ton of solids processed; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the supply of a manufactured liquid polymer; Ashland K148L in the annual expenditure amount of \$63,000.00 for current fiscal year thru 30 September 2008; and in the annual expenditure amount of \$ 100,000.00 for fiscal year 1 October 2008 thru 30 September 2009 for supply and services in Sludge Dewatering Polymer for the Belt Filter Press process is hereby approved as a secondary manufactured liquid polymer proven in solids processing; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute a non-inclusive agreement for such proposed Sludge Dewatering Polymer for the Belt Filter Press process on behalf of the City of Grand Island with Nalco Company, of Naperville, Illinois as the primary supplier.

BE IT FURTHER RESOLVED, that an annual expenditure with Consolidated Equipment Company is hereby approved.

BE IT FURTHER RESOLVED, that Resolution No. 2008-167 is rescinded.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G8

#2008-184 - Approving Time Extension to the Contract with The Diamond Engineering Company for Construction of Water Main District 453T, Sanitary Sewer District 522T, Lift Station #22 at the National Guard Helicopter Facility

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director
Gary Mader, Utilities Director

Meeting: July 8, 2008

Subject: Approving Time Extension to the Contract with The Diamond Engineering Company for Construction of Water Main District 453T, Sanitary Sewer District 522T, Lift Station #22 at the National Guard Helicopter Facility

Item #'s: G-8

Presenter(s): Steven P. Riehle, Public Works Director

Background

The City Council awarded the bid for construction of the Water Main District 453T, Sanitary Sewer District 522T, and Lift Station #22 at the Nebraska Army National Guard Helicopter Facility to The Diamond Engineering Company on October 9, 2007.

The winter weather and temperatures delayed the planned start date and hampered The Diamond Engineering Company's ability to work efficiently when they were able to begin the construction.

City Council approved a time extension for this project at the May 27, 2008 Council meeting. The extension changed the final completion date from May 31, 2008 to June 30, 2008 and was due to delays that were occurring with the steel manufacturers for the building portion of the sanitary sewer lift station.

Discussion

Due to delays caused by the excessive rainfall this spring The Diamond Engineering Company is requesting another completion date extension. The requested date at this time is July 31, 2008.

Water Main District 453T and Sanitary Sewer District 522T have both been completed and tested. Lift Station #22's wet well with pumps, building, and gravity sewer are all in place. The remaining work includes HVAC, electrical, and final grading primarily around

the lift station building. The remaining work and time extension will not impact the Nebraska Army National Guard Helicopter Facility. This change order is only for the extension of the contract's completion date. There is no change to the contract's price.

Any changes to the contract require council approval.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve extension of the completion date to July 31, 2008.

Sample Motion

Move to approve extension of completion.



CONTRACT TIME EXTENSION

PROJECT: Water Main District 453T, Sanitary Sewer District 522T, Lift Station # 22

CONTRACTOR: The Diamond Engineering Company

AMOUNT OF ORIGINAL CONTRACT: \$613,371.10

CONTRACT DATE: October 23, 2007

Notice to Proceed Date ----- October 26, 2007

Original Completion Date ----- May 31, 2008

1st Revised Completion Date ----- June 30, 2008

2nd Revised Completion Date ----- July 31, 2008

Contractor The Diamond Engineering Company

By _____

Date _____

Title _____

CITY OF GRAND ISLAND, NEBRASKA

By _____

Date _____

Mayor

Attest _____

City Clerk

RESOLUTION 2008-184

WHEREAS, on October 9, 2007, by Resolution 2007-254, the City Council of the City of Grand Island approved the bid of The Diamond Engineering Company of Grand Island, Nebraska for construction of Water Main District 453T, Sanitary Sewer District 522T, and Lift Station #22 at the Nebraska Army National Guard Helicopter Facility; and

WHEREAS, on May 27, 2008, by Resolution 2008-145, the City Council of the City Of Grand Island approved a request for a time extension on the completion date made by The Diamond Engineering Company from May 31, 2008 to June 30, 2008 in order to complete the project due to delays with the steel manufacturers for the building portion of the sanitary sewer lift station; and

WHEREAS, The Diamond Engineering Company has requested a time extension on the completion date from June 30, 2008 to July 31, 2008 due to the delayed delivery of the building, HVAC, and electrical components; and

WHEREAS, the Public Works Department and Utilities Department are agreeable to such contract time extension.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the completion date for the construction of Water Main District 453T, Sanitary Sewer District 522T, and Lift Station # 22 is hereby extended until July 31, 2008.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such contract modification on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 2, 2008	☐ City Attorney



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G9

#2008-185 - Approving Rescission of Resolution 2008-98; No Parking from 6 AM to 2 PM on Adams Street from 2nd Street South for 1/2 Block to the Alley

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: July 8, 2008

Subject: Approving Rescission of Resolution 2008-98; No Parking from 6 AM to 2 PM on Adams Street from 2nd Street South for 1/2 Block to the Alley

Item #'s: G-9

Presenter(s): Steven P. Riehle, Public Works Director

Background

City Council approved Resolution 2008-98 at the request of Casey's General Store (1219 W 2nd Street) which called for No Parking on Adams Street from 2nd Street south for 1/2 block to the alley from 6 AM to 2 PM. As part of the widening project on 2nd Street the north driveways to Casey's parking lot are to be closed. This driveway closure was believed to cause difficulty in getting fuel deliveries to the store.

Discussion

Given that Casey's General Store (1219 W 2nd Street) has closed it is requested that the No Parking restriction be removed.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the rescission of Resolution 2008-98.

Sample Motion

Move to approve the rescission of Resolutuion 2008-98.

RESOLUTION 2008-185

WHEREAS, Resolution 2008-98 directed that NO Parking be allowed on Adams Street from Second Street south for ½ block to the alley between 6 AM and 2 PM; and

WHEREAS, the Casey's General Store located at 1219 W 2nd Street has closed business it is recommended Resolution 2008-98 be rescinded.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Resolution 2008-98 is rescinded.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G10

#2008-186 - Approving Amendment # 1 to the Professional Services Agreement for Design of a Household Hazardous Waste Facility

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: July 8, 2008

Subject: Approving Amendment # 1 to the Professional Services Agreement for Design of a Household Hazardous Waste Facility

Item #'s: G-10

Presenter(s): Steven P. Riehle, Public Works Director

Background

At the February 2004 City Council Retreat, the Grand Island City Council identified the development of a permanent, regional Household Hazardous Waste (HHW) Facility as a community goal. A committee and business plan was presented to the council in January 2005. The first step in obtaining a permanent facility was realized in 2005 when the City of Grand Island received a grant from the Nebraska Department of Environmental Quality to fully fund architectural services.

MILCO Environmental Services, Inc. was awarded a \$75,000.00 agreement on February 14, 2006. The agreement was for the design of a household hazardous waste collection and recycling facility at the municipal Transfer Station.

Discussion

A request for a construction grant wasn't approved due to the Department of Environmental Quality asking for a reduction in size and cost of the facility. In order to resubmit for a construction grant in September 2008 a redesign of the facility is required. The grant denial was no fault of MILCO Environmental Services, Inc.

Based on MILCO Environmental Services, Inc.'s previous design work and expertise on this project it would prove monetarily advantageous to approve this amendment.

Work will be performed at actual costs with a maximum of \$12,500.00.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand.
The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Amendment # 1 to the agreement with MILCO Environmental Services, Inc.

Sample Motion

Move to approve Amendment #1 to the agreement.

AMENDMENT #1

Attachment B in the Agreement for Environmental Consulting Services dated February 14, 2006 between the *CITY OF GRAND ISLAND* and *MILCO ENVIRONMENTAL SERVICES, INC.* is hereby amended as follows:

SCOPE OF WORK

Current drawings for the proposed Household Hazardous Waste Facility to be located at 5050 Old Potash Highway in Grand Island, Nebraska, shall be revised to reflect a smaller-sized facility, with eliminating a classroom, eliminating separate bathrooms and any other unnecessary features.

COMPENSATION

An hourly not to exceed fee of \$12,500 shall be invoiced for preparation of drawings, and furnishing three (3) full sets of the documents to the Client. Any alterations required for the well, septic, parking, traffic routes are not included in this maximum fee.

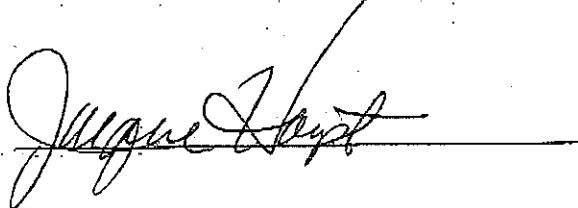
Bidding or Negotiating Phase, and Construction Phase services will be invoiced in accordance with our original agreement.

Accepted this _____ day of June, 2008.

CITY OF GRAND ISLAND, NEBRASKA

Attest:

MILCO ENVIRONMENTAL SERVICES, INC.



R E S O L U T I O N 2008-186

WHEREAS, the City Council in Resolution 2005-27, authorized City staff to submit an application to the Nebraska Department of Environmental Quality for a grant to pay the cost of hiring an architect and engineering firm to design a Household Hazardous Waste Facility; and

WHEREAS, the City was successful in obtaining a grant of \$75,000 to pay for architectural and engineering services for a Household Hazardous Waste Facility; and

WHEREAS, the City advertised a Request for Proposals for Architectural / Engineering Services for the Design of a Permanent Household Hazardous Waste and Recycling Complex; and

WHEREAS, City staff reviewed the proposals submitted in response to the Request for Proposals and selected the proposal of MILCO Environmental Services, Inc.; and

WHEREAS, City staff has negotiated and “Agreement for Environmental Consulting Services” for engineering and architectural services for designing the facility, assisting with bidding and negotiations with contractors and construction supervision; and

WHEREAS, the MILCO proposal for the above-referenced services is a lump sum fee in the total amount of \$67,500.00.

WHEREAS, a redesign of the Household Hazardous Waste Facility is required in order to resubmit for a construction grant in September 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island accepts Amendment #1, to the original agreement, for the redesign of the Household Hazardous Waste Facility with work to be performed at actual costs, with a maximum of \$12,500.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute the Amendment # 1 to “Agreement for Environmental Services” with MILCO Environmental Services, Inc.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G11

**#2008-187 - Approving Inter-Local Agreement with County of Hall
for Ambulance Service**

Staff Contact: jim rowell

Council Agenda Memo

From: Jim Rowell, Fire Chief
Meeting: July 8, 2008
Subject: Inter-Local Agreement with Hall County for Ambulance Service
Item #'s: G-11
Presenter(s): Jim Rowell, Fire Chief

Background

The City of Grand Island provides ambulance service to residents of Hall County by way of an inter-local agreement. The current agreement is at the end of its five year term.

Discussion

After discussion with city administration a continuation of the service was proposed to Hall County Board. The Board approved continuing the service using the terms of the agreement and the dollar amount set forth in the new agreement. The new agreement specifies a beginning amount of \$184,641 for the 2008-2009 year and provides for a 3% annual increase thereafter. These funds provide support for operation of the service in the county while the charges to the users continue to be based on the fee schedule adopted by the city each year during the term of the agreement.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve this agreement.

Sample Motion

Move to approve the Inter-local Cooperation Agreement with Hall County for Ambulance service.

**INTER-LOCAL COOPERATION AGREEMENT
COUNTY OF HALL AND CITY OF GRAND ISLAND
AMBULANCE AGREEMENT**

Pursuant to Neb. Rev. Stat., Chapter 13, Article 8, and Neb. Rev. Stat. Section 77-3442, (R.S. Supp. 1997), this Inter-Local Cooperation Agreement is entered into by and between the County of Hall and the City of Grand Island, on the dates indicated below.

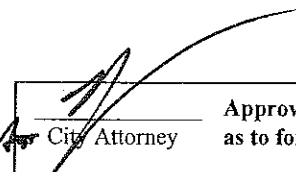

WHEREAS, Neb. Rev. Stat. §13-303 authorizes the Hall County Board to contract with the City of Grand Island to provide ambulance service for Hall County; and

WHEREAS, on August 31, 1967 the County and City adopted an agreement for ambulance services to that part of Hall County located outside the City of Grand Island and have continuously maintained a contract for such ambulance service since that date; and

WHEREAS, the parties agree to continue to contract for ambulance service to that part of Hall County located outside the City of Grand Island.

NOW, THEREFORE, it is hereby mutually agreed by and between Hall County, Nebraska, hereinafter referred to as **County**, and the City of Grand Island, Nebraska, hereinafter referred to as **City**, as follows:

1. **DURATION.** The term of this agreement shall commence on July 1, 2008 and shall continue until June 30, 2013.
2. **SEPARATE LEGAL OR ADMINISTRATIVE ENTITY; DELEGATION.** There shall be no separate legal or administrative entity created by this Inter-Local Cooperation Agreement. Administration of this agreement is delegated to the Grand Island Fire Department.
3. **PURPOSE.** The purpose of this Agreement shall be to provide ambulance service to those portions of Hall County located outside the boundaries of the City of Grand Island.
4. **MANNER OF FINANCING AND MAINTAINING A BUDGET.** Each party shall adopt and maintain appropriations as required by law to fund its obligations under this Agreement. A separate budget shall not be required of either party by this Agreement.
5. **TERMINATION.** This agreement shall remain in effect and be in force as provided in Paragraph 1 above. Termination prior to that time shall require the mutual consent of both parties.
6. **ADMINISTRATOR.** The Fire Chief of the Grand Island Fire Department is hereby appointed administrator for this cooperative undertaking.

 City Attorney	Approved as to form	 County Attorney
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7. **MANNER OF DISPOSING OF PROPERTY.** It is understood and agreed that all property acquired hereunder is intended to become a part of the public ambulance service and shall be held in the name of the party acquiring the same for such purpose. Property shall be disposed of in accordance with the laws applicable to the party in whose name the property is titled. The proceeds of any such disposal shall be and remain the property of the party disposing of the same.
8. **FURTHER AGREEMENT OF PARTIES.** It is further understood and agreed by and between the parties hereto as follows:

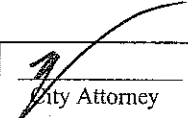

- (A) The contribution to the joint operating costs by the **County** for the next five fiscal years shall be the following amounts:

Fiscal Year	County
07-01-2008 to 06-30-2009	\$184,641
07-01-2009 to 06-30-2010	\$190,180
07-01-2010 to 06-30-2011	\$195,886
07-01-2011 to 06-30-2012	\$201,762
07-01-2012 to 06-30-2013	\$207,815

The **County** will pay to the **City** an amount equal to one-fourth of the **County's** fiscal year total on the first day of August, November, February, and May during the fiscal year with the first payment due August 1, 2008, and the last payment due May 1, 2013.

- (B) The **City** will establish rates for ambulance services in an amount sufficient to fund anticipated budget shortfalls and to establish necessary operating reserves to accommodate fluctuations in the number of ambulance calls and uncollected fees. The rates shall continue to apply equally to all residents of the **City** and **County**. The City will bill all users and responsible third party payors for services provided. The City will be responsible for all billing and collection functions.
- (C) The City's ambulance service will be available to all areas within Hall County. Said services shall be coordinated when and where possible with local fire districts and emergency service providers.
- (D) Unreimbursed costs and fees associated with the transportation of Hall County Jail inmates and detainees will not be billed to the County except to the extent that said unreimbursed costs and fees exceed Twelve Thousand Dollars (\$12,000) per contract year.

Executed on the dates attested below:

 City Attorney	Approved as to form	 County Attorney
---	------------------------	--

CITY OF GRAND ISLAND, a municipal
Corporation of the State of Nebraska,

Dated _____, 2008

By: _____
Margaret Hornady, Mayor

Attest: _____
RaNae Edwards, City Clerk

COUNTY OF HALL, a Political
Subdivision of the State of Nebraska,

Dated 6/24, 2008

By: W.P. "Bud" Jeffries
W. P. "Bud" Jeffries, Chairperson

Attest: Marla Conley
Marla Conley, Clerk

<u>[Signature]</u> City Attorney	Approved as to form	<u>[Signature]</u> County Attorney
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RESOLUTION 2008-187

WHEREAS, on June 24, 2003, by Resolution 2003-189 the City of Grand Island Hall County approved an Inter-Local Cooperation Agreement with the County of Hall pertaining to the provision of ambulance service within the Hall County area; and

WHEREAS, negotiations between the City and the County have resulted in a recommended Inter-Local Cooperation Agreement for the provision of ambulance service which would set out a yearly contribution by the County through the fiscal year ending June 30, 2013; and

WHEREAS, the proposed agreement has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Inter-Local Cooperation Agreement between the City of Grad Island and the County of Hall for the provision of Ambulance service to the Grand Island and Hall County area is hereby approved.

Be It Further Resolved, that the Mayor is hereby authorized and directed to execute the agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
July 2, 2008	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G12

#2008-188 - Approving Purchase of 75 Personal Computers

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: July 8, 2008

Subject: Approving Purchase of Personal Computers

Item #'s: G-12

Presenter(s): Dave Springer, Finance Director

Background

The recommended replacement and upgrade life for personal computers is in the three to four year range. We purchased 58 PCs in December, 2002 and had planned to start replacing them in 2006, but have pushed that out for the last two years. The significant expansion in communication and data processing electronically since 2002 has also increased the number of units required.

Discussion

This request is for the purchase of 75 Dell computers through a state contract for \$72,758, or an average cost of \$970 each. A few of the old computers would be used to upgrade units in areas of lessened requirements, some would be salvaged for parts, and the remainder would be disposed of in a proper environmental manner. See attached memo from Information Technology Manager, Carl Hurd. Sufficient dollars are budgeted in the IT Department.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the contract for the PCs.
2. Disapprove or deny the contract.
3. Modify the Resolution to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the contract.

Sample Motion

Move to approve the above contract for the purchase of personal computers.

RESOLUTION 2008-188

WHEREAS, personal computers have a limited useful life and replacement or upgrade is recommended every three to four years; and

WHEREAS, the City is in the sixth year of the last group purchase of 58 PCs, necessitating their replacement and additional new needs have been identified; and

WHEREAS, the City's Information Technology Department has budgeted funds for the purchase of 75 new PCs through a state contract; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

A contract for the purchase of 75 personal computers in the amount of \$72,758 from state contract be entered into, and the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G13

**#2008-189 - Approving Certificate of Final Completion for
Electrical Installation of Camper Pads at Heartland Public
Shooting Park**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: July 8, 2008

Subject: Certificate of Final Completion-Campground Electrical Installation-Camper Pads at Heartland Public Shooting Park

Item #'s: G-13

Presenter(s): Steve Paustian, Parks and Recreation Director

Background

A contract was entered into with Middleton Electric on April 7, 2008 to construct electrical hook-ups for the campground at the Heartland Public Shooting Park (HPSP).

Discussion

All work associated with this contract has been completed and it is appropriate at this time to close out the contract.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the certificate of final completion and make final payment to Middleton Electric in the amount of \$7,861.00.

Sample Motion

Move to close out the contract with Island Plumbing for the construction of the campground potable water system and pay a final amount of \$25,000.00.

CERTIFICATE OF FINAL COMPLETION AND ACCEPTANCE

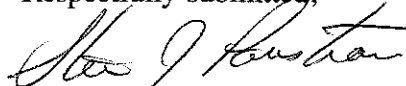
**ELECTRICAL INSTALLATION - CAMPER PADS
HEARTLAND PUBLIC SHOOTING PARK**

**CITY OF GRAND ISLAND, NEBRASKA
JULY 8, 2008**

**TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA**

This is to certify that the Electrical Installation for the Camper Pads at the Heartland Public Shooting Park has been fully completed by **Middleton Electric, Inc** of Grand Island, NE under contract dated **April 7, 2008**. All other work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by the Parks and Recreation Director in accordance with the provisions of the terms of the above said contract.

Respectfully submitted,



Steve Paustian
Parks & Recreation Director

**TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA**

I hereby recommend that the Certificate of Final Completion and Acceptance be approved and warrants issued from Account No. 40044450-90026 to **Middleton Electric, Inc** in the final payment amount of **\$7,861.00**.

Respectfully submitted,

Margaret Hornady
Mayor

RESOLUTION 2008-189

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for the Electrical Installation for Camper Pads at the Heartland Public Shooting Park, certifying that Middleton Electric, Inc. of Grand Island, Nebraska, under contract dated April 7, 2008, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs in the Parks and Recreation Director's recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

1. The Parks and Recreation Director's Certificate of Final Completion for Electrical Installation for Camper Pads at Heartland Public Shooting Park is hereby confirmed.
2. That a warrant be issued from Account No. 40044450-90026 in the total amount of \$7,861.00 payable to Middleton Electric, Inc. for the final amount due the contractor.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item G14

**#2008-190 - Approving Extension Request for Community
Development Block Grant #07-CR-002**

Staff Contact: JoniK

Council Agenda Memo

From: Joni Kuzma, Community Development Administrator

Meeting: July 8, 2008

Subject: Approving Extension Request for Community Development Block Grant #07-CR-002

Item #'s: G-14

Presenter(s): Joni Kuzma, Community Development Administrator

Background

In April 2008, the State of Nebraska Department of Economic Development awarded a \$261,010 Community Development Block Grant to the City of Grand Island for Phase II of a community revitalization project. The Phase II contract end date is currently August, 31, 2008, but the proposed projects will not be completed by that date.

An extension request is necessary because of delays that occurred during Phase I of the Grand Island Community Revitalization grant. The Phase I contract end date was originally August 31, 2007, extended to December 1, 2007, and extended a second time to April 29, 2008, due to a variety of weather, contractor, and staff difficulties. As a result of Phase I delays, Phase II will require an extension to allow for completion of 7 rehabilitation and 2 down payment assistance projects.

Discussion

Community Development is requesting Council approval for a second extension request that would establish a contract end date of July 31, 2009. The City is projecting that one full year will be needed to complete the grant. In the past few months, thousands of homes have been damaged in the region due to water, wind, and/or hail. As a result, the City anticipates a shortage of available contractors to complete rehabilitation projects, increased costs for construction materials, and inflated rehabilitation costs, which may also increase the amount of time needed for grant completion.

DED requires Council approval of an extension request in the form of a resolution to accept an amendment request.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the extension request for Community Revitalization Block Grant 07-CR-002 and authorize the Mayor to sign all appropriate documents

Sample Motion

Move to approve the extension request for Community Revitalization Block Grant 07-CR-002 and authorize the Mayor to sign all appropriate documents.

July 8, 2008

Steve Charleston
CDBG Program Manager
Department of Economic Development
PO Box 94666
Lincoln NE 68509-4666

RE: CDBG Grant # 07-CR-002
CDBG Grantee City of Grand Island
DED Program Representative Steve Charleston

Mr. Charleston,

Please accept the requested Extension of Contract End Date for DED approval for the Phase II CDBG Grant #07-CR-002 and the attached required documents. Attached is:

- 1) certification in the form of a resolution passed by the Grand Island City Council on July 8, 2008 approving an extension request for this grant
- 2) an explanation for the extension request
- 3) a clarification of matching fund needs
- 4) a revised implementation schedule

The original and current contract end date is August 31, 2008.

The proposed contract end date is July 31, 2009

Contact person for the extension request is:

Joni Kuzma, Community Development Administrator
308-385-5444, ext. 248

This extension request is necessary because of delays that occurred during Phase I of the Grand Island Community Revitalization grant. The original contract end date of Phase I was August 31, 2007. The end date of the 1st extension request was December 1, 2007. However, due to a variety of weather, contractor, and staff difficulties, the end date of the 2nd extension request for Phase I contract did not occur until April 29, 2008.

A Phase II extension until July 31, 2009 allows one full year for grant completion of 7 rehabilitation and 2 down payment assistance projects. The City is projecting that one full year will be needed to complete the grant. In the past few months, thousands of homes have been damaged in the region due to water, wind, and/or hail.



As a result, the City anticipates a shortage of available contractors to complete rehabilitation projects, increased costs for construction materials, and inflated rehabilitation costs, which may also increase the amount of time needed for grant completion.

The City has contracted with Community Development Services (CDS) to provide Housing Management and Lead Based Paint Services for the Phase II grant. CDS successfully completed Phase I for the City in a short amount of time and plan to facilitate this Phase II in the same timely manner. They will work closely with Community Development Division staff in finalizing applicant approval, coordinating rehabilitation/LBP inspections, and working with homeowners to locate qualified contractors. To date, Community Development has received 10 applications for OOR and 2 for DPA.

No additional local matching funds will be required as a result of this extension.

Thank you for your consideration of this extension request and for the opportunity to successfully finish this important community revitalization grant.

Sincerely,

Margaret Hornady, Mayor
City of Grand Island

MH/JK/jk

Enclosures



Phase II Revised Implementation Schedule:

The original benchmark and completion schedule was May 2007 - June 2008 original benchmark and completion schedule. An extension request will be made of DED to amend the contract to end July 31, 2009. That allows one (1) full-year for grant completion.

Activity	Status	Completion
Release of Funds received, solicitation mailing sent to about 175 residents in project area, contract awarded for Housing Management & Risk Assessment/Testing, applications being accepted & reviewed	Release of Funds was received April 2008, the contract was awarded to Community Development Services, LLC on June 10, 2008 for Housing Management and Risk Assessment/Testing, 11 applications have been received to date	Applications will be taken until all OOR and DPA slots are filled
Verify income and qualify applicants for program; distribute Lead-based Paint information	11 applications received, Community Development staff reviewing and collecting application data	On-going through March 2009
Request extension	Completing forms	July 2008
Inspect homes, do work write-ups/contract with OOR applicant/solicit bids		On-going through March 2009
Inspect homes, determine need for minor rehabilitation through HQS inspection, DPA clients complete Homebuyer Education Class		On-going through March 2009
Second public hearing		February 2009
Complete rehabilitation on 7 OOR homes		On-going through July 2009
Close on and complete minor rehabilitation on 2 DPA homes		On-going through July 2009
Submit close out documents		July 2009

RESOLUTION 2008-190

WHEREAS, in April, 2008, the State of Nebraska Department of Economic Development awarded the City of Grand Island a Community Development Block Grant in the amount of \$261,010 for Phase II of a community revitalization project; and

WHEREAS, the grant contract will expire August 31, 2008, and completion of Phase II will be delayed due to unforeseen circumstances that occurred during Phase I of the grant cycle; and

WHEREAS, additional time is needed for grant completion and the Department of Economic Development requires a written request and Council resolution to extend the contract; and

WHEREAS, Council approval is required in order to submit the amended request to the Department of Economic Development.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the request for extension of the contract of the grant from the Department of Economic Development is approved and that the Mayor is hereby authorized and directed to execute any related documents on behalf of the City of Grand Island for such grant programs.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 2, 2008	☐ City Attorney



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item I1

#2008-191 - Approving Request from H & H Catering, Inc. dba Neater's Alibi, 908 N. Broadwell Avenue for an Addition to Class "C-79407" Liquor License

This item relates to the aforementioned Public Hearing Item E-1.

Staff Contact: RaNae Edwards

RESOLUTION 2008-191

WHEREAS, an application was filed by H & H Catering, Inc., doing business as Neater's Alibi, 908 N. Broadwell Avenue for an addition to their Class "C-79407" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on June 28, 2008; such publication cost being \$15.78; and

WHEREAS, a public hearing was held on July 8, 2008, for the purpose of discussing such liquor license application.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

_____ The City of Grand Island hereby recommends approval of the above-identified liquor license application contingent upon final inspections.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations: _____

_____ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: _____

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 2, 2008	☐ City Attorney



City of Grand Island

Tuesday, July 08, 2008

Council Session

Item J1

Approving Payment of Claims for the Period of June 25, 2008 through July 8, 2008

The Claims for the period of June 25, 2008 through July 8, 2008 for a total amount of \$2,092,900.79. A MOTION is in order.

Staff Contact: David Springer